

111TH CONGRESS
1ST SESSION

H. R. 765

To establish the Nellis Dunes National Off-Highway Vehicle Recreation Area,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2009

Mr. HELLER (for himself, Ms. BERKLEY, and Ms. TITUS) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Nellis Dunes National Off-Highway Vehicle
Recreation Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nellis Dunes National
5 Off-Highway Vehicle Recreation Area Act of 2009”.

1 **SEC. 2. CONVEYANCE OF PROPERTY TO CLARK COUNTY,**
2 **NEVADA.**

3 (a) CONVEYANCE.—As soon as practicable after the
4 date of enactment of this Act, the Secretary of the Interior
5 shall convey to Clark County, Nevada, subject to valid ex-
6 isting rights, for no consideration, all right, title, and in-
7 terest of the United States in and to the land described
8 in subsection (b).

9 (b) MAP.—The land to be conveyed under subsection
10 (a) is the approximately 1,150 acres of land as depicted
11 on the map titled “Clark County OHV Recreation Park”
12 and dated July 2008.

13 (c) USE OF LAND.—

14 (1) IN GENERAL.—The parcels of land conveyed
15 under subsection (a)—

16 (A) shall be used by Clark County—

17 (i) to provide a suitable location for
18 the establishment of a centralized off road
19 vehicle recreation park in Clark County,
20 Nevada;

21 (ii) to provide the public with opportu-
22 nities for off road vehicle recreation includ-
23 ing a location for races, competitive events,
24 training and other commercial support
25 services; and

1 (iii) to provide a designated area and
2 facilities that will discourage unauthorized
3 use of off-highway vehicles in areas that
4 have been identified as environmentally
5 sensitive lands by the Federal, State, and
6 Clark County agencies; and

7 (B) shall not be disposed of by the county.

8 (2) REVERSION.—If Clark County ceases to use
9 any parcel for the purposes described in subsection
10 (a)—

11 (A) title to the parcel shall revert to the
12 United States, at the option of the United
13 States; and

14 (B) Clark County, Nevada, shall be re-
15 sponsible for any reclamation necessary to re-
16 vert the parcel to the United States.

17 (d) ADDITIONAL TERMS AND CONDITIONS.—The
18 Secretary of the Interior may require such additional
19 terms and conditions in connection with the conveyance
20 as the Secretary considers appropriate to protect the inter-
21 ests of the United States.

22 (e) EASEMENT.—The United States hereby reserves
23 a right of flight for the passage of aircraft in the airspace
24 above the surface of the lands conveyed to Clark County
25 identified under this section together with the right to

1 cause in such air space such noise, vibration, smoke, and
2 other effects as may be inherent in operation of aircraft
3 landing at or taking off from Nellis Air Force Base, Ne-
4 vada.

5 **SEC. 3. SPECIAL DESIGNATION OF THE NELLIS DUNES NA-**
6 **TIONAL OFF-HIGHWAY VEHICLE RECREATION**
7 **AREA IN CLARK COUNTY, NEVADA.**

8 (a) IN GENERAL.—The area commonly known and
9 managed as Nellis Dunes in the Bureau of Land Manage-
10 ment Resource Management Plan shall be designated the
11 “Nellis Dunes National Off-Highway Vehicle Recreation
12 Area”.

13 (b) MANAGEMENT PLAN.—The Bureau of Land
14 Management may develop a special management plan for
15 the area to enhance the safe off-highway vehicle recreation
16 use.

17 **SEC. 4. TRANSFER OF ADMINISTRATIVE JURISDICTION TO**
18 **NELLIS AIR FORCE BASE.**

19 (a) IN GENERAL.—Administrative jurisdiction over
20 the parcel of land identified on the map referred to in sub-
21 section (b) is transferred from the Bureau of Land Man-
22 agement to the Department of the Air Force for the use
23 of Nellis Air Force Base.

24 (b) DESCRIPTION OF LAND.—The land referred to in
25 subsection (a) is the land administered by the Bureau of

1 Land Management and generally depicted on the map ti-
2 tled “Nellis Air Force Base Additions August 2008”.

3 (c) USE OF LAND.—The parcel of land described in
4 subsection (b) shall be used by Air Force for the enlarge-
5 ment and protection of Nellis Air Force Base.

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